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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,987	07/30/2003	Steven Heffner	4411-PA1	7737
45848	7590	12/16/2004		
MICHAEL WINFIELD GOLTRY 340 EAST PALM LANE SUITE 260 PHOENIX, AZ 85004			EXAMINER TRIEU, VAN THANH	
			ART UNIT 2636	PAPER NUMBER

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/630,987

Applicant(s)

HEFFNER ET AL.

Examiner

Van T Trieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/30/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4, 6-9, 11-14, 16-21, 23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by **Peters** [US 5,717,379].

Regarding claim 1, the claimed system security comprising: transmitter for transmitting a data stream (video telephone BT for transmitting detected video data to a remote central station 2, see Fig. 1, col. 2, lines 52-54 and col. 4, lines 14-19); and the camera module, coupled to the transmitter, for taking imagery location and converting the imagery inclusion in the data stream (the cameras C and K, see Figs. 1 and 3, col. 1-5, col. 3, lines 18-45 and col. 4, lines 35-67); and the apparatus, coupled the transmitter and the video camera module, adapted to detect a security breach at the location, activate the transmitter to transmit a including the data from the camera module (the breach or motion sensor for activating the cameras C, K and to transmitting detected video data to the remote central station 2, see Fig. 1, col. 2, lines 45-51 and col. 4, lines 24-50); and wherein the imaginary comprises at least one of audio/video imagery and audio imagery (the audio and/or video message data are communicated to the remote

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central station 2 via the video telephone BT, see Fig. 1, col. 2, lines 52-54 and col. 4, lines 14-19).

Regarding claim 2, all the claimed subject matters are cited in respect to claim 1 above and including the memory for storing data by the camera module (the memory, see col. 4, lines 50-52 and 60-64).

Regarding claim 3, all the claimed subject matters are cited in respect to claim 1 above and including the transmitter to transmit a telephone signal (the video telephone BT and mobile telephone MT, see Fig. 1, col. 3, lines 30-40).

Regarding claim 4, all the claimed subject matters are cited in respect to claim 1 above and including the transmitter to transmit a radio signal (the radio wave or microwave, see col. 4, lines 17-19).

Regarding claim 6, all the claimed subject matters are cited in respect to claim 1 above and including the placing a call (the video telephone BT, see Fig. 1, col. 2, lines 52-54 and col. 4, lines 14-19).

Regarding claim 7, all the claimed subject matters are cited in respect to claims 2 and 6 above.

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Regarding claim 8, all the claimed subject matters are cited in respect to claims 3 and 6 above.

Regarding claim 9, all the claimed subject matters are cited in respect to claims 4 and 6 above.

Regarding claim 11, all the claimed subject matters are cited in respect to claim 1 above, and including the first apparatus coupled to the camera module adapted to detect a security threat and activate the camera module (the undesired event is detected by the sensor, which will trigger the camera C to capture the event, see Fig. 1, col. 2, lines 32-51 and col. 5, lines 55-57).

Regarding claim 12, all the claimed subject matters are cited in respect to claims 2 and 11 above.

Regarding claim 13, all the claimed subject matters are cited in respect to claims 3 and 11 above.

Regarding claim 14, all the claimed subject matters are cited in respect to claims 4 and 11 above.

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Regarding claim 16, all the claimed subject matters are cited in respect to claim 11 above, and including the motion sensor, see col. 4, lines 24-26.

Regarding claim 17, all the claimed subject matters are cited in respect to claim 11 above, and including the sound detector, which reads upon the speed recognition, see col. 5, lines 39-43.

Regarding claim 18, all the claimed subject matters are cited in respect to claims 6 and 11 above.

Regarding claim 19, all the claimed subject matters are cited in respect to claims 2 and 18 above.

Regarding claim 20, all the claimed subject matters are cited in respect to claims 3 and 18 above.

Regarding claim 21, all the claimed subject matters are cited in respect to claims 4 and 18 above.

Regarding claim 23, all the claimed subject matters are cited in respect to claims 16 and 18 above.

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Regarding claim 24, all the claimed subject matters are cited in respect to claims 17 and 18 above.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 5, 10, 15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Peters** [US 5,717,379].

Regarding claim 5, **Peters** fails to disclose the transmitter is adapted to transmit a television signal that carries the data stream. However, **Peters** teaches that the video telephone BT is adapted to transmit audio and video signal over the telecommunication network ISDN or over the radio wave or microwave, see Figs. 1 and 2, col. 3, lines 18-

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46 and col. 4, lines 7-19. Therefore, it would have been obvious to one skill in the art to recognize that the data signals transmitting over video telephone is functionally equivalent to the television transmission signals because the data signal carries both audio and video signals over the cable or radio waves, which are received by the remote monitoring station to reproduce the video image.

Regarding claim 10, all the claimed subject matters are discussed in respect to claims 5 and 6 above.

Regarding claim 15, all the claimed subject matters are discussed in respect to claims 5 and 11 above.

Regarding claim 22, all the claimed subject matters are discussed in respect to claims 5 and 18 above.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Brunetti et al** discloses an ingress/egress control system controls passengers flow into and out of an airport concourse, comprising a plurality of detectors and video cameras for capturing images of the passing passengers and transmitted to a security center.

[US 6,507,278]



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**Courtney** discloses a monitoring apparatus including an IR sensor, video cameras and a computer for processing video signals detected from the camera. The processed data signals are wirelessly transmitted to a portable unit. [US 6,385,772]

**Tracy** discloses a security system including cameras disposed for activation by components of the system to record images of activity detected by the components. Visual verification also can be used in connection with remote notifications or authorizations of entry to the security area. [US 6,163,257]

4. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Jeffery Hofsass** can be reached on (571) 272-2981.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long, sweeping horizontal line extending to the right.

**Van Trieu**  
**Primary Examiner**  
**Date: 12/1/04**